

the applicant's application expenses. With a 30 day period to cure minor application defects, an applicant could quickly be granted a construction permit if there are no mutually exclusive applications. When a strict completeness standard is applied the same application can unnecessarily have to be resubmitted during multiple application windows.

Recommendation: The Commission should replace the strict completeness standard with a substantial completeness standard so that LPTV applicants with a few minor deficiencies in their applications could submit corrections within 30 days of receiving a deficiency letter from the Commission. If there is no mutually exclusive application, the corrected application should immediately result in a construction permit. If there are any mutually exclusive applications, the corrected application should immediately be placed into the lottery process.

Terrain Shielding Waiver Requests

Another way to minimize the Commission LPTV application processing workload is by allowing all LPTV applicants to submit proof of terrain shielding by submitting detailed terrain profiles in their initial applications. Then applicants wishing to operate in close geographic proximity which cannot receive or send harmful interference into each other's protected coverage areas because of intervening terrain, such as hills or mountains, will not necessarily be identified as mutually exclusive applications and may therefore be grantable without having to use the lottery mechanism.

Recommendation: The Commission should require terrain shielding information to be submitted in any initial LPTV license application in order to minimize the number of mutually exclusive LPTV applications.

Facilities Modifications

Although an LPTV station operates under a number of restrictions not imposed on a full power broadcast station, an LPTV station should be allowed to provide the best and widest service possible without having to undergo an unnecessarily complex or expensive modification request process. If an LPTV modification application complies with the LPTV interference protection standards, is not mutually exclusive with an earlier filed application and suitably bounds the station's protected service contour, it should be considered a minor rather than a major modification which could be submitted to the Commission at any time. not

Donna Searcy
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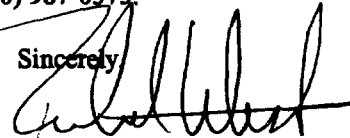
that bounding circle but not increasing the total protected service contour by more than 20% for noncommercial or by more than 10% for commercial LPTV licensees should be considered minor modifications which will be accepted by the Commission at any time and the cutoff date for which should be the date filed.

Conclusion

The University of California would like to see low power television stations allowed to develop the fullest possible service in an orderly manner. Implementation of four-letter callsigns, a substantial completeness standard for acceptability of license applications, full consideration of terrain shielding for mutually exclusive applications and expansion of the definition of minor modifications in the Low Power Television Service should facilitate appropriate growth of LPTV stations.

If there is further information on these recommendations to improve the LPTV rules which we can provide you, please contact Ms. Willi Bokenkamp of this office at (510) 987-0373.

Sincerely,



Richard West
Associate Vice President
Informations Systems and
Administrative Services

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